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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M. Street, N.W.; Room 222
Washington, D.C. 20554

RE: Ex Parte Letter In Response To The Further Notice Of Proposed Rulemaking; CC Docket No. 92-77; Phase II.

Dear Mr. Caton:

In its Comments filed July 29, 1994 and its Reply Comments filed September 13, 1994 in the above-referenced matter, MessagePhone, Inc. ("MessagePhone") recommended that the Federal Communications Commission ("Commission") furnish carriers the option to implement billed party preference ("BPP") utilizing new and innovative technologies.¹ Herein, MessagePhone proposes language that will insure BPP service providers will have access to these technologies.

After review of the established record, MessagePhone believes it is inevitable that the Commission will mandate BPP. Once BPP is mandated, local exchange carriers ("LECs") and other service providers must be allowed to take advantage of the numerous advances in computer and switching techniques, many developed since the beginning of this proceeding, that could be used for executing BPP routing. At least one party strongly concurs. Pacific Bell and Nevada Bell ("Pacific Bell") stated that new technologies and architectures should be explored:

When Bell Atlantic filed its petition for rulemaking in 1989, it suggested the architecture that could be used to perform a carrier identification function. It suggested that all 0+ calls be routed to the LEC operator service switch for carrier identification through LIDB....The last 5 years have seen fundamental changes in the telephone network. New technologies have been deployed, and many new

¹ See MessagePhone Comments at 3, 5, 7, 17, and 25; Reply Comments at 2.

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technologies are being developed....We suggest that a new design may be needed.²

The proposed BPP Service Description³ presupposes that the functionality will be executed by an Operator Services Switch ("OSS").⁴ However, as demonstrated by MessagePhone's architectures, the same functionality can be executed by network elements other than the OSS -- at substantially less cost. Including MessagePhone's architectures, LECs currently have a choice of at least four solutions for implementing BPP routing. The Commission must not exclude these alternatives by its definition of BPP. The language of the Commission's mandate must be structured in a manner that allows LECs and others to choose from all available technologies and architectures -- but only inasmuch as the alternatives are capable of executing BPP functionality as defined by the final, adopted BPP Service Description.

Accordingly, MessagePhone recommends that the Commission include the following language in its mandate of BPP routing:

Billed party preference functionality can be executed by the network elements described in the BPP Service Description or can be executed by alternative network elements or architectures that are capable of performing at least the same functionality.

MessagePhone does not expect opposition to its proposed language. Both the proponents and opponents of BPP will desire that the carriers implementing BPP utilize the best and most cost effective technologies available. Furthermore, the LECs' current investment in old, closed architecture switches will not be stranded by the implementation of modern technology. Old OSSs can continue to process the same local operator services traffic that they currently process. Of course, if desired by the LECs, MessagePhone's architectures also could be used to update existing OSS systems by overlaying new functionality and service capability over existing switches.

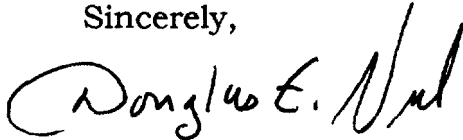
² Pacific Bell Reply Comments at 6-7 (footnote omitted).

³ The BPP Service Description is attached to the joint MCI, GTE, Pacific Bell and SWBT ex parte filing, December 23, 1993.

⁴ E.g., see BPP service description at 2-4.

MessagePhone is available to provide the Commission and its staff with additional information. Please contact us if we can be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas E. Neel". The signature is fluid and cursive, with the first name "Douglas" being more prominent and the last name "Neel" following in a similar style.

Douglas E. Neel
Regulatory Affairs

Enclosed: Two Additional Copies

cc: Gary Phillips
Mark Nadel